

# Electronic Filing System (EFS) Data

## Electronic Patent Application Submission

### USPTO Use Only

EFS ID: 10929  
Application ID: 09681195  
Title of Invention: Progressive Streaming Media  
Rendering  
First Named Inventor: David Gemmell  
Domestic/Foreign Application: Domestic Application  
Filing Date: null  
Effective Receipt Date: 2001-02-16   
Submission Type: Utility Patent Filing  
Filing Type: new-utility  
Confirmation Number: 0  
Attorney Docket Number: MCS-067-00  
Digital Certificate Holder: cn=Richard T. Lyon, ou=Registered Attorneys, ou=Patent and  
Trademark Office, ou=Department of Commerce, o=U.S.  
Government, c=US  
Certificate Message Digest: Di6bjfM/csXQwl2zvGwu+g==  
Total Fees Authorized: \$1322.0

Payment Category: CC – Credit Card  
Credit Card Number: \*\*\*\*8040  
Expiration Date: 05312002  
Card Holder Name: Richard T. Lyon  
RAM User ID: EFSPROD  
RAM Accounting Date: 2001-02-16  
RAM Sequence Number: 255842  
RAM Payment Status: RAM success  
Postal Code: 93041

# TRANSMITTAL FORM

jc474 U.S. PTO 09/681195  
02/16/01

Electronic Version 1.0.2

Stylesheet Version: 1.0

Attorney Docket Number: MCS-067-00

## Progressive Streaming Media Rendering

First Named Inventor: David J. Gemmell

### SUBMITTED BY

Name: Richard T. Lyon  
Registration Number: 37385  
Electronic Signature Mark: RTL Date Signed: 20010215

*I certify that the use of this system is for OFFICIAL correspondence between patent applicants or their representatives and the USPTO. Fraudulent or other use besides the filing of official correspondence by authorized parties is strictly prohibited, and subject to a fine and/or imprisonment under applicable law.*

*I, the undersigned, certify that I have viewed a display of document(s) being electronically submitted to the United States Patent and Trademark Office, using either the USPTO provided style sheet or software, and that this is the document(s) I intend for initiation or further prosecution of a patent application noted in the submission. This document(s) will become part of the official electronic record at the USPTO.*

### Attached Files:

bibd-transmittal	MCS06700apds.xml
fee-transmittal	MCS06700fee.xml
patent-assignment	MCS06700asgn.xml
specification	MCS6700.xml
declaration	MCS67-00decl1-3.tif
declaration	MCS67-00decl1-3.tif

### declaration

MCS67-00decl1-3.tif

**Attached Image File(s):**

MCS67-00decl1-3.tif

MCS67-00decl2-3.tif

MCS67-00decl3-3.tif

### Comments:

**DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**PROGRESSIVE STREAMING MEDIA RENDERING**

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This declaration is of the following type:

- original
- divisional
- continuation
- continuation-in-part

the specification of which

(check one)  is attached hereto  
\_\_\_\_\_ was filed on \_\_\_\_\_  
Application Serial No. \_\_\_\_\_  
and was amended on \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations §1.56(a).

I do not know and do not believe that the invention was ever known or used in the United States of America before my or our invention thereof;

I do not know and do not believe that the invention was ever patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application;

I do not know and do not believe that the invention was in public use or on sale in the United States of America more than one year prior to this application.

The invention has not been patented or made the subject of any inventor's certificate issued before the date of this application in any country foreign to the United States America on an application filed by me or my legal representatives or assigns more than two months prior to this application; and

As to applications for patents or inventor's certificate on the invention  
filed in any country foreign to the United States of America, prior to this application by me or  
legal representatives or assign:

no such applications have been filed, or  
 such applications have been filed as follows:

**PRIORITY CLAIM (35 U.S.C. §119)**

We hereby claim foreign priority benefits under Title 35, United States Code, §119, of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below, and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

A. Prior foreign/PCT application(s) filed within 12 mos. (6 mos. for design) prior to the application, and any priority claims under 35 U.S.C. §119

Country/PCT   Application No.   Date Filed   Priority Claimed

**NONE**  Yes  No  
 Yes  No  
 Yes  No

**B. All foreign application(s), if any, filed more than 12 mos. (6 mos. for design) prior to the U.S. application**

Country: **NONE**

Application No.:

Filing Date:

**PRIOR U.S. APPLICATION(S) FOR WHICH BENEFIT  
UNDER 35 U.S.C. §119(e) OR 35 U.S.C. §120 IS CLAIMED**

Serial No. Filing Date Patented Pending Abandoned Provisional Application

**NONE**

## POWER OF ATTORNEY

I hereby appoint the following attorneys and/or agents to prosecute this application and transact business in the Patent and Trademark Office connected therewith:

Katie E. Sako	Registration No. 32,628
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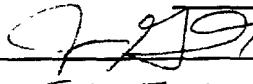
Direct telephone calls to:

Richard T. Lyon  
(805) 278-8855

## DECLARATION

I/We hereby declare that all statements made herein of our own knowledge are true and that statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

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Full name of sole or first inventor: David J. Gemmell  
Inventor's signature:   
Date: Feb 7, 2001  
Residence: 20 Diamond Court  
Danville, California 94526  
Citizenship: Canada  
Post Office Address: 20 Diamond Court, Danville, California 94526

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(Declaration ends with this page)

# FEE TRANSMITTAL

Electronic Version 1.0.4

Stylesheet Version: 1.0

*Patent fees are subject to annual revisions on or about October 1st of each year.*

Large Entity

**TOTAL FEES AUTHORIZED: \$ 1322**

## BANK (CREDIT) CARD INFORMATION:

Credit Card Number:	8040
Expiration Date:	20020531
Authorized Name:	Richard T. Lyon
Billing Address:	93041

## BASIC FILING FEE

Fee Description	Fee Code	Fee Paid
Utility Filing Fee	101	\$ 710

Subtotal For Basic Filing Fee: \$ 710

## EXTRA CLAIM FEES

	Fee Code	Fee	Extra Claims	Fee Paid
Total Claims: 34	103	\$ 18	14	\$ 252
Independent Claims: 7	102	\$ 80	4	\$ 320

Subtotal For Extra Claims Fees: \$ 572

## ADDITIONAL FEES

Fee Description	Fee Code	Fee Paid
Recording Each Patent Assignment Per Property Fee	581	\$ 40

Subtotal For Additional Fees: \$ 40